

## **REMARKS**

Applicant's counsel thanks the Examiner for the careful consideration given the application.

Claim 1 has been amended to overcome the Examiner's objection to a lack of antecedent basis for the limitation "the sleeve" by adding the antecedent wording "so-called sleeves" to the claim. No new matter has been added.

The limitations of pending claim 2 have been incorporated into amended claim 1 and claim 2 has been cancelled.

Claims 3 and 4 have been amended to now depend from claim 1.

## **35 USC § 103**

The Examiner has stated that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Doherty (US 4,199,851) as modified by Benim et al. (US 2003/0134061) to include conveying the bottles or containers on a coaxial path with the tubular-shaped plate as shown by Ashcroft (US 3,959,065) such that the rotating tubular-shaped plates supports the bottles or containers during winding thereby eliminating the time required for placing the bottle or container on the tubular-shaped plate after winding".

Applicant does not share the Examiner's opinion for the following reasons.

The feature "winding the precut label on a rotating tubular-shaped plate supporting the container or bottle to be labelled" is not shown in the cited prior art document Ashcroft (US 3,959,065). In fact, in said document, the precut label is wound on a tubular-shaped plate configured as a slider running along a bearing shaft **independently** from the container support, i.e. said slider is not rigidly connected to the container support.

Furthermore, the technical problem solved by the present application cannot be considered "eliminating the time required for placing the bottle or container on the tubular-shaped plate after winding" as described in Ashcroft. Rather, the technical effect provided by the present invention assures a high transferring precision of the label on the container. Such a technical effect is achieved by eliminating the relative motion between the label and the container during the transferring. Namely, such an effect is provided by using a rotating tubular-shaped plate supporting the container or bottle to be labelled, in order to allow the

containers and the labels to have the same angular velocities.


In Ashcroft, the tubular-shaped plate and the support for the containers are not solid and move independently from each other. Therefore, the transferring precision of the label on the container might be adversely affected. Hence, Ashcroft should not be used in combination with Benim and Doherty.

Accordingly, claim 1 as amended clearly defines over the cited prior art and is now allowable.

In view of the amendments and the remarks, and having dealt with all the objections raised by the Examiner, reconsideration and allowance of the application is courteously requested.

If any additional fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. BUG7-43177.

Respectfully submitted,  
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